



## State of New Jersey

DEPARTMENT OF EDUCATION  
PO Box 500  
TRENTON, NJ 08625-0500

RICHARD J. CODEY  
Acting Governor

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Commissioner

November 29, 2004

**TO:** Chief School Administrators  
Charter School Lead Persons  
County Superintendents

**FROM:** Richard C. Ten Eyck, Assistant Commissioner  
Division of Educational Programs and Assessment

**SUBJECT:** Teacher Mentoring

Recent changes in the state licensing regulations allowed districts to use retired teachers and administrators to serve as mentors for new teachers. We have recently received information from the Division of Pensions and Benefits that such employment could violate the earnings threshold established in statute for the Teachers' Pension and Annuity Fund (TPAF). This violation could jeopardize either their earnings or benefits and result in a requirement to make restitution to the state for any pension payments made during the employment period.

The following are the statutory citations that govern the TPAF enrollment:

**N.J.S.A. 18A:66-4 – Membership**

No person in employment, office or position, for which the annual salary or remuneration is fixed at less than \$500 shall be eligible to become a member of the retirement systems. This means anyone making \$500 or more must become a member.

**N.J.A.C. 17:3-2.1 – Enrollment Eligibility**

(a) Any person appointed by the State, local board of education, or charter school to a position listed in the definition of "teacher" found in N.J.S.A. 18A:66-2(p) or as a regular full-time or part-time employee in a position that meets the following conditions shall be required to become a member of the Fund effective as of the date of their employment:

1. The position requires a valid certificate issued by the State Board of Education and the person employed holds this valid certificate;
2. The position is covered by Social Security; and
3. The salary for the position is \$500.00 or more within a year.

The stipend for mentoring is \$550 for traditional route provisional teacher mentors and \$1000 for alternate route provisional teacher mentors. The Division of Pensions and Benefits

has advised the Department of Education that all retired mentor teachers making more than \$499 would fall under the definition in the statute.

If you have further questions on the mentoring pension issues, please contact Dr. Jay Doolan, director, Office of Academic and Professional Standards at 609-984-5322. For all other questions involving the use of retired teachers and administrators in schools, please contact:

Mindy Smith-Sopko  
Legislative/Legal Affairs Unit  
Division of Pensions and Benefits  
Department of the Treasury  
P.O. Box 295  
Trenton, NJ 08625-0295

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